

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

John Ortiz
Debtor(s)

Bankruptcy Case No.: 20-20011-GLT
Issued Per Oct. 22, 2020 Proceeding
Chapter: 13
Docket No.: 62 – 19, 60
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

(1.) PLAN CONFIRMATION:

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated February 8, 2020 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2,259 as of November 2020. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Nationstar Mortgage, LLC/USAA Federal Savings Bank (Claim No. 4); I.R.S. (Claim No. 7); Borough of Crafton (Claim No. 12 and Claim No. 13) .
- ☒ H. Additional Terms: The claim of Nicole Ortiz and Michele Moore is to be paid direct per interim confirmation order.

The Trustee shall not pay the secured claim of USAA Federal Savings Bank (Claim No. 9) as the creditor's collateral is deemed surrendered in Part 3.5 of the Plan.

Debtor is responsible for resolving any issues with respect to the I.R.S. claim, unless an

objection is filed and sustained. The Trustee shall pay the claim as filed or as amended, provided. Debtor must increase the plan payments to account for any increase in any amended claim.

(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

A. Objections to the Plan. Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

B. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

C. Review of Claims Docket and Objections to Claims. Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

D. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

E. Filing Amended Plans. Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) IT IS FURTHER ORDERED THAT:

A. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

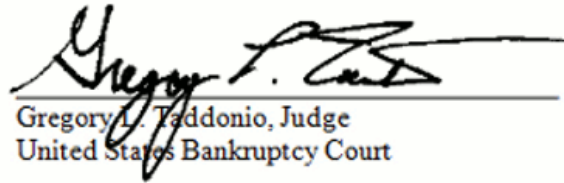
B. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge
United States Bankruptcy Court

Dated: October 27, 2020

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:
John Ortiz
Debtor(s)

Case No. 20-20011-GLT
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Oct 27, 2020

User: jhel
Form ID: 149

Page 1 of 3
Total Noticed: 35

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 29, 2020:

Recip ID	Recipient Name and Address
db	+ John Ortiz, 30 Lawson Avenue, Pittsburgh, PA 15205-2927
cr	+ Borough of Crafton, GRB Law, 437 Grant Street 14th Floor, Frick Building, Pittsburgh, PA 15219 UNITED STATES OF AMERICA 15219-6101
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
cr	+ USAA Federal Savings Bank, c/o Weinstein & Riley, P.S, 11101 West 120th Ave, Suite 280, Broomfield, CO 80021-2756
15178586	+ Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
15197315	+ Allegheny County Domestic Relations, FAMILY DIVISION, 440 ROSS STREET, Pittsburgh, PA 15219-2413
15215122	+ Borough of Crafton, GRB Law, c/o Jeffrey R. Hunt, Esquire, 437 Grant Street, 14th Floor, Frick Building Pittsburgh PA 15219-6101
15178587	+ Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15178589	+ Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
15178590	+ First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
15199803	++ NATIONSTAR MORTGAGE LLC, PO BOX 619096, DALLAS TX 75261-9096 address filed with court:, Nationstar Mortgage LLC, P.O. Box 619096, Dallas, TX 75261-9741
15197324	+ Nicole Ortiz, 2 Norma Street, Pittsburgh, PA 15205-2729
15197326	+ PA SCDU, PO Box 69110, Harrisburg, PA 17106-9110
15178593	Sheffield Financial Co, Attn Credit Disputes Dept, Clemmons, NC 27012
15178594	+ Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
15202656	UPMC Health Services, PO Box 1123, Minneapolis, MN 55440-1123
15202682	UPMC Physician Services, PO Box 1123, Minneapolis, MN 55440-1123
15217262	+ USAA FEDERAL SAVINGS BANK, NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER, Bankruptcy Department, PO BOX 619096, DALLAS TX 75261-9096
15197332	+ USAA Federal Savings Bank, PO Box 619094, Dallas, TX 75261-9094
15178595	+ Usaa Fed Svng/nationst, 350 Highland, Houston, TX 77009-6623
15197330	Usaa Federal Savings, Pob 47504, San Antonio, TX 78265
15178596	Usaa Federal Savings B, Pob 47504, San Antonio, TX 78265
15178597	+ Usaa Savings Bank, 10750 Mcdermott, San Antonio, TX 78288-1600
15178598	Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306
15213886	Wells Fargo Bank, N.A., Wells Fargo Card Services, PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438

TOTAL: 25

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
15217169	Email/Text: BankruptcyNotices@aafes.com	Oct 28 2020 02:24:00	Army & Air Force Exchange Services, Attention: GC-G, 3911 S. Walton Walker Blvd, Dallas, TX 75236
15178591	Email/Text: BankruptcyNotices@aafes.com	Oct 28 2020 02:24:00	Military Star, 3911 Walton Walker, Dallas, TX 75266
15181215	Email/Text: mrdiscen@discover.com	Oct 28 2020 02:24:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15178588	+ Email/Text: mrdiscen@discover.com	Oct 28 2020 02:24:00	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15214852	+ Email/Text: kbarkley@bernsteinlaw.com	Oct 28 2020 02:27:00	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant St., Suite 2200, Gulf Tower,

District/off: 0315-2

User: jhel

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			Pittsburgh, PA 15219-1945
15197322	+ Email/Text: sbse.cio.bnc.mail@irs.gov	Oct 28 2020 02:24:00	Internal Revenue Service, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
15181143	+ Email/PDF: cbp@onemainfinancial.com	Oct 28 2020 01:13:57	Onemain, PO Box 3251, Evansville, IN 47731-3251
15178592	+ Email/PDF: cbp@onemainfinancial.com	Oct 28 2020 01:12:14	Onemain, Po Box 1010, Evansville, IN 47706-1010
15194608	Email/Text: bankruptcy@bbandt.com	Oct 28 2020 02:25:00	Sheffield Financial, PO Box 1847, Wilson, NC 27894-1847
15207071	+ Email/Text: bncmail@w-legal.com	Oct 28 2020 02:26:00	USAA Federal Savings Bank, C/O: Weinstein & Riley, P.S, 2001 Western Avenue, Ste 400, Seattle, WA 98121-3132

TOTAL: 10

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer
cr		USAA Federal Savings Bank
cr		USAA Federal Savings Bank
cr	*+	Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945
15197314	*+	Allegheny Co Fam Div, 414 Grant St, Pittsburgh, PA 15219-2409
15197323	*P++	CREDITORS BANKRUPTCY SERVICE, PO BOX 800849, DALLAS TX 75380-0849, address filed with court., Military Star, 3911 Walton Walker, Dallas, TX 75266
15197316	*+	Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15197317	*+	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15197318	*+	Fed Loan Serv, Pob 60610, Harrisburg, PA 17106-0610
15197319	*+	First Natl Bk Of Pa, 4140 E State St, Hermitage, PA 16148-3401
15197321	*	Internal Revenue Service, Insolvency Unit, POB 628, Pittsburgh, PA 15230
15197320	*+	Internal Revenue Service, Insolvency Unit, POB 7346, Philadelphia, PA 19101-7346
15197325	*+	Onemain, Po Box 1010, Evansville, IN 47706-1010
15197327	*	Sheffield Financial Co, Attn Credit Disputes Dept, Clemmons, NC 27012
15197328	*+	Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
15197329	*+	Usaa Fed Svng/nationst, 350 Highland, Houston, TX 77009-6623
15197331	*	Usaa Federal Savings B, Pob 47504, San Antonio, TX 78265
15197333	*+	Usaa Savings Bank, 10750 Mcdermott, San Antonio, TX 78288-1600
15197334	*	Wells Fargo, Credit Bureau Dispute Resoluti, Des Moines, IA 50306

TOTAL: 3 Undeliverable, 16 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 29, 2020

Signature: /s/Joseph Speetjens

District/off: 0315-2

User: jhel

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Date Rcvd: Oct 27, 2020

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CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 27, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor USAA Federal Savings Bank bnicholas@kmlawgroup.com
Jeffrey R. Hunt	on behalf of Creditor Borough of Crafton jhunt@grblaw.com cnoroski@grblaw.com
Keri P. Ebeck	on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com
Kristen D. Little	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer for USAA Federal Savings Bank pabk@logs.com klittle@logs.com
Michael John Clark	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicer for USAA Federal Savings Bank pabk@logs.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor John Ortiz ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com Equitablebankruptcy@peoples-gas.com;srk@sjwpgh.com
Thomas Song	on behalf of Creditor USAA Federal Savings Bank pawb@fedphe.com

TOTAL: 10